

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF QUOGUE, 7 VILLAGE LANE, QUOGUE, NEW YORK, HELD ON FRIDAY,
SEPTEMBER 20, 2013 AT 2:00 P.M.

PRESENT: Mayor Peter S. Sartorius, Trustees Randy Cardo, Jeanette Obser, Ted Necarsulmer and Kimberley Payne, Village Attorney Richard E. DePetrìs and Village Clerk Marcia Rose Koziarz.

OTHERS PRESENT: Building Inspector Bill Nowak, Fire Chiefs Tim Shea and Bruce Davidson, Police Chief Robert Coughlan, Ambrose Carr, Bill Berrien, Dick Gardner, Frances Ryan and Kyle Campbell of the Southampton Press.

The Mayor invited everyone to join him in the Pledge of Allegiance.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the minutes of Regular Meeting held on August 16, 2013 are hereby approved.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, the Abstract of Audited Vouchers Schedule 09-13, \$420,270.10 and Treasurer's Report for the Month ending August 31, 2013 are hereby approved as follows:

\$ 51,118.28 Checking Account
\$1,009,265.61 Capital Reserves
\$8,787,343.98 Investments
\$9,847,727.87 Total General Fund 08/31/13

The Clerk gave the report for August 2013 False Fire and Burglar Alarms as follows:

Burglar Billed: \$0; Burglar Collected: \$0
Fire Billed: \$500.00; Fire Collected: \$0

Fire Department Chief Bruce Davidson gave the August report for the Fire Department. Chief Building Inspector Bill Nowak gave the July and August reports for the Building Department. Police Chief Robert Coughlan gave the August report for the Police Department.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a donation (Revenue Code A2705-Donations) from Jessup Foods, LLC in the amount of \$393.50 for ½ of the cost of umbrellas for the beach concession (Appropriation Code A7180.200-Beach Equipment) is hereby approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley and unanimously carried, it was RESOLVED, the additional cost required to provide the reopening of Section 384-d of the Retirement and Social Security Law, for Robert J. Hammel as set forth in Chapter 296 of the Laws of 2013 is hereby approved.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, a reimbursement in the amount of \$210.00 to Jessica Danzig of 15 Elizabeth Lane for storage fees for an impounded vehicle is hereby approved.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Indemnification Agreement with Mr. & Mrs. Haynia of 65 Box Tree Road for the Fire Department to train for search and forceable entry procedures is hereby approved.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the introduction of Local Law # ____ of 2013, "A Local Law Amending Chapter 111(Noise) Of The Village Code In Relation To Hours of Operation for Construction and Landscaping" is hereby approved and a public hearing will be held at the October Board of Trustees meeting.

Local Law No. _____ of 2013

A Local Law Amending Chapter 111
(Noise) of The Village Code
In Relation to Hours of Operation for
Construction and Landscaping

Section 1. The Board of Trustees hereby finds and determines that the permissible hours of operation in the evening for construction and landscaping activities should be reduced in order to better secure and promote the public health, comfort, convenience, safety, welfare, prosperity and the peace and quiet of the Village of Quogue and its inhabitants.

Section 2. Section 111-4 (Violating Acts) is hereby amended as follows:

- (a) Paragraph J (Construction or repair) is hereby amended to change the evening times set forth therein for (1) cessation of construction activity (other than by a homeowner on his own dwelling or property) from 8:00 pm to 6:00 p.m. on Monday through Friday and from 6:00 p.m. to 4:00 p.m. on Saturdays during the months of July and August and (2) cessation of construction activity by a homeowner on his own dwelling or property from 9:00 p.m. to 6:00 p.m. so that the entire provision as amended shall read as follows:

"Construction or repair. Excavation, demolition, construction, repair or alteration work in connection with any building, structure or other improvement other than between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and between the hours of 7:00 a.m. and 6:00 p.m. on Saturday during all months other than July and August and between the hours of 7:00 a.m. and 4:00 p.m. on Saturday during the months of July and August, and with regard to construction, repair or alteration work by a homeowner on his own dwelling or property, other than between the hours of 7:00 a.m. and 6:00 p.m."

- (b) Paragraph M (Bulldozers or other earth moving machinery, pile drivers and pneumatic hammers) is hereby amended to conform with the foregoing changes to Paragraph J so that the entire provision shall read as follows:

“Bulldozers or other earthmoving machinery, pile drivers and pneumatic hammers. The operation, other than between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and between the hours of 7:00 a.m. and 6:00 p.m. on Saturday during all months other than July and August and between the hours of 7:00 a.m. and 4:00 p.m. on Saturday during the months of July and August, of any bulldozer or other earthmoving machinery, any pile driver or any pneumatic hammer. (See § 111-4.1 for supplemental regulations applicable to pile drivers and pneumatic hammers.)”

- (c) Paragraph O (Commercial landscaping) is hereby amended to regulate the hours of homeowner landscaping as well as commercial landscaping so that the entire provision shall read as follows:

“Landscaping. The use or operation, other than between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between the hours of 7:00 a.m. and 4:00 p.m. on Saturday, of any engine- or motor-powered lawn care equipment, leaf blower, lawn mower or trimmer by any person other than a homeowner on his own property or the use or operation, other than between the hours of 7:00 a.m. and 6:00 p.m. of any engine- or motor-powered lawn care equipment, leaf blower, lawn mower or trimmer by a homeowner on his own property.”

Section 3. The second sentence of § 111-4.1C is amended to delete the words “the hours of 7:00 a.m. and 6:00 p.m.” and to substitute in place thereof the words “certain hours.”

Section 4. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

*

*

*

With no other business to discuss and upon motion made by Mayor Sartorius, seconded by Kimberley Payne and unanimously carried, the meeting was adjourned at 2:20 P.M.

Marcia Rose Koziarz, Village Clerk